It Was Only by a Very Narrow Margin, However,

ONE VOTE TO SPARE.

Governor Black's Personal Efforts Save His Nominee.

NINE REPUBLICANS BOLT.

Raines Defends the New Superintendent, While Platt's Man, Lexow, Sits Silent.

BRUSH LEADS THE ATTACK.

Lou Payn, He Declares, Is "Unfit by Common Fame"-Lawyer Elihu Root Was Savagely Scored for His Criticism.

THE VOTE ON PAYN.

hours' debate in the Senate was re-advantageously ad and discussed by the visitors, some his party. Pa ng that the published charges should man en ignored, other;s declaring that Root's name at least should have kept out of the debate, while still rs contended that the attack should been made on the floor before a dee was entered upon. Mr. Payn beamed the Journal representative and said: There seems to be nothing for me to at this time. I shall enter upon the es of my office on February 11, when r. Pierce's term expires."

Thanks for His Friends, was suggested to the new appointee last night there was more doubt about his confirmation than at any previous

Change in the Plans, Meanwhile Senators Humphrey and Higtius were making urgent appeals to Sentors who had been at first against Payn." but had been conveited to Black's way of



THE PAYNFUL SITUATION AT ALBANY.

severid singular features.

severid singular features, who quoted the charges best friend, Raines, who quoted the charges best friend, Raines, who quoted the charges against him before Payn had been attacked on the floor. Those who spoke against him before had been attacked on the floor. ruddy face as he sat in a chair, with slip-pered feet crossed and a brown velvet smoking jacket replacing his familiar frock make an inefficient superintendent, but soat. Friends crowded in to congratulate said his general reputation precluded the said his general reputation precluded the possibility of his appointment turning out possibility of his appointment turning out

May be the work of the second time. Mr. Payn refused to admit it. He shook his head and said:

"At no time were there less than twenty-seven Republican votes in my favor. I had hoped to have more, but in view of the mendacious attacks upon me it was, perhaps, not surprising that men who admitted that I would in all probability make a good official did not have the courage to vote for me. The outcome of this remarkable incident is, of course, gratifying to me. I can only thank my friends for their

Malby Did Not Deny. That Payn had been "fired" out of on, the hommee will by his course justify the Governor and that of the majority of the Senate."

Payn's First Defence,

Senator Wray had hopes that the nomina-tion of Payn would not be the death of the

ACCUSED OF USURY.

manent Receiver Asked for.

DISS DE BAR'S ART MOSQUITO NAVY WORKS TO BE SOLD.

Miscellaneous Collection of Commander Miller Wants a "Spook" Paintings and Old Masters.

Paulist Priest Said to Have Of- First Battalion Is Tired of Reeffered \$5,000 for One Terrestrial Production.

Years of Storage at Police Headquarters Have Not Improved the Condition of the Valuable Articles.

The Ann O'Delia Diss De Bar collection of paintings, which has for several years past been reposing in the property room of Police Headquarters, is to be taken out and

Arrangements to this end were entered into yesterday by a representative of Lawyer Alfred Pagelow and Property Clerk Harriett. Lawyer Pagelow represents an estate having an interest in the pictures. After Mrs. De Bar's arrest on a charge of conspiracy to defraud Luther R. Marsh the police removed forty-one oil paintings from the house No. 166 Madison avenue, and stored them at Headquarters. Some of these pictures were needed as evidence to secure a conviction in the case. Among them are a number by old masters, notably a Yan Dyck, a Velasquez and a Guido Rene. These, with a number of celebrated spook These, with a number of celebrated spook tional guard might as well be included in pictures, which the deluded Mr. Marsh be-

ters, comprised the collection.

A year ago Mme. Disa de Bar visited York. this city and made an effort to recover the paintings, along with \$70,000 worth of Stonington line of steamboats, and has long jewels, which she claimed Superintendent taken an active interest in making the Byrnes had forcibly taken from her and Naval Militia a creditable factor in the never returned. Lawyer Pagelow, reprenever returned. Lawyer Pagelow, representing the estate claiming an interest in the pictures, fought her claim for them in the court. Before the case was settled, however, an agreement was reached between the lawyers. Lawyer Townsend, who is now dend, agreed with the opposing counsel to toss up a penny to see if they should continue the litigation or remove the pictures and sell them at apetion. The penny was tossed, and the outcome was that the paintings should be come was that the paintings should be and designs for a vessel which he thinks

Payn is the rules which brought about the "Force hat is an it in the came next. "Loved, venerated and respected by his neighbors," was a part of the tribute. "A unique, rugged and heroic failes to mad control to failes to made to faile to faile failed the reasons given by Senator Tibble to the failed the reasons given by Senator Tibble to the failed the reasons given by Senator Tibble to the failed the reasons given by Senator Tibble to the failed the reasons given by Senator Tibble to the failed the reasons given by Senator Tibble to the failed the reasons given by Senator Tibble to the failed the reasons given by Senator Tibble to the failed the reasons given by Senator Tibble to the failed the reasons given by Senator Tibble to the failed the reasons given by Senator Tibble to the failed the reasons given by Senator Tibble to the failed the reasons given by Senator Tibble to the failed the reasons given by Senator Tibble to the f

Financial Entanglements of the Southern SOLD HIS HAIR FOR \$15. Should the

FOR NEW YORK?

Saucy Ship for His Naval Militia.

IN LITIGATION FOR YEARS WILL ASK THE GOVERNOR.

ing Only in the Armory and in a Hulk.

BYRNES SEIZED THE PROPERTY. USEFUL DURING WHARF RIOTS,

Impossible for the Men to Train Properly Now-Other Battalions May Press Their Claims.

New York's naval militiamen sail the ocean blue-once in a while-across the ferry

lieved to have been painted by dead mas-ters, comprised the collection. with a vessel of some sort that would float in case of need, on the waters around New

May Produce a Navy. Plucky Miss Hendricks Successfully Defended ond and Third are ready to press their